

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

BANK OF AMERICA CORPORATION,

Defendant.

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09 Civ. 6829 (JSR)
10 Civ. 0215 (JSR)
ECF Cases

JOINT STATUS REPORT PURSUANT TO MAY 6, 2010 ORDER

November 27, 2013

BY ECF

The Honorable Jed S. Rakoff
United States Courthouse
Southern District of New York
500 Pearl Street, Room 1340
New York, NY 10007


Re: SEC v. Bank of America Corp., Nos. 09-cv-6829, 10-cv-0215


Dear Judge Rakoff:

Per the Court's May 6, 2010 order, the SEC and Bank of America Corporation respectfully submit this report on the Fair Fund distribution.¹

The distribution of proceeds to claimants was completed last month. In total, over 400,000 claimants received roughly \$140 million. The Distribution Agent and Tax Administrator are now calculating any remaining tax liabilities and preparing the final accounting for the fund. Once this is completed, the SEC will seek authorization from the Court to pay the last bill of the Tax Administrator. After this bill is paid, the Distribution Agent will remit the remaining Fair Fund balance of around \$1 million² to the United States Treasury and close the Fair Fund account.

Respectfully submitted,


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¹ Capitalized terms have the meanings given to them in the Plan of Distribution.

² This balance is slightly higher than the balance provided in the last status report because the prior figure excluded funds reserved for anticipated fees and expenses that have not actually been incurred.